

101ST CONGRESS }
1st Session }

SENATE

{ REPORT
101-184

CERTIFICATE OF DOCUMENTATION FOR
THE VESSEL "DA WARRIOR"

Mr. HOLLINGS, from the Committee on Commerce, Science,
and Transportation, submitted the following

R E P O R T

OF THE

SENATE COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION

ON

S. 1615



NOVEMBER 2 (legislative day, SEPTEMBER 18), 1989.—Ordered to be printed

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"DA WARRIOR"

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Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 1615]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1615) to authorize a certificate of documentation for the vessel *DA Warrior*, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

S. 1615, as reported, grants coastwise trading and fisheries privileges to the vessel *DA Warrior*.

BACKGROUND AND NEEDS

Subject to certain limited exceptions, the provisions of law known as the Jones Act (Section 27 of the Merchant Marine Act, 1920) and sections 12106-12108 of title 46, U.S. Code, provide that only those vessels built in the United States, continuously documented under the laws of the United States, and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade, or engage in the domestic fisheries of the United States.

Where the facts applicable to a particular vessel suggest that the U.S.-built, U.S.-documented, or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document permitting coastwise trading or, fisheries privileges for that vessel unless the requirements of the law are statutorily waived.

The vessel *DA Warrior*, Hawaii registration number HA 161 CP, is a 8.5 not ton, fiberglass boat that was manufactured in the United States in 1965. The current owners, Mr. and Mrs. Berzanskis, of Hawaii, intend to use the vessel in a charter fishing business. Because the owners are unable to establish a complete chain of title, the Coast Guard is unable to authorize the vessel for use in its intended purpose.

LEGISLATIVE HISTORY

S. 1615 was introduced in the Senate on September 13, 1989, by Senate Inouye. In open executive session on October 5, 1989, the Committee considered S. 1615, and ordered the legislation reported favorably without objection and without amendment.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 23, 1989.

Hon. ERNEST F. HOLLINGS,
Chairman, Committee on Commerce, Science, and Transportation,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1615, a bill to authorize a certificate of documentation for the vessel *DA Warrior*, as ordered reported by the Senate Committee on Commerce, Science and Transportation on October 5, 1989. Enactment of S. 1615 would result in no cost to the federal government or to state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 1615 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

SECTION-BY-SECTION ANALYSIS

S. 1615 consists of one section. It provides that, notwithstanding sections 12106, 12107, and 12108 of title 46, U.S. Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of the bill, the vessel *DA Warrior*, Hawaii registration number HA 161 CP, is eligible to engage in the coastwise trade and fisheries of the United States, and the Secretary of Transportation may issue a certificate of documentation for such vessel.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

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